

**EQC ENFORCEMENT REPORT  
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL  
JANUARY 12, 2006**

**BUREAU OF LAND AND WASTE MANAGEMENT**

**UST Enforcement**

- 1)    Order Type and Number:                      Consent Order 05-0553-UST  
      Order Date:                                      September 28, 2005  
      Respondent:                                      **Estate of James N. Young**  
      Facility:    Miller's Texaco  
      Location/Mailing Address:                      3673 W. Palmetto St.  
   Florence, SC 29501  
  
      County:    Florence  
      Previous Orders:                                      None  
      Permit/ID Number:                                      10855  
      Violations Cited:                                      UST Control Regulations, R.61-92,  
   §280.20(e); R.61-92, §280.31(a); R.61-92, §280.40(a); R.61-92,  
   §280.34(c).

Summary: The estate of James N. Young owns underground storage tanks at one facility in South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations by failing to operate and maintain corrosion protection equipment continuously, failing to provide an adequate release detection method, and failing to supply records to the Department upon request.

Action: The Respondent has repaired and retested the corrosion protection system and protected the piping connectors from corrosion, and has agreed to correct the release detection violations or schedule closure of the waste oil UST within 30 days of receipt of the finalized order. If the work is completed as agreed, the civil penalty of one thousand six dollars (**\$1,600.00**) will be suspended.

- 2)    Order Type and Number:                      Consent Order 05-0707-UST  
      Order Date:                                      October 5, 2005  
      Respondent:                                      **Banjee Enterprises, LLC**  
      Facility:    BP Oil Company 24138  
      Location/Mailing Address:                      19103 Whyte Hardee Blvd.  
   Hardeeville, SC 29927  
  
      County:    Jasper  
      Previous Orders:                                      CO 05-0439-UST (\$1,100);  
   CO 03-3970-UST (Suspended \$400)

Permit/ID Number: 05257  
Violations Cited: UST Control Regulations, R.61-92, §280.31(a); R.61-92, §280.44(a); R.61-92, §280.34(c).

Summary: Banjee Enterprises, LLC, is a petroleum distribution company based in Atlanta, Georgia, that owns underground storage tanks at two locations in South Carolina. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations by failing to operate and maintain corrosion protection equipment continuously, failing to provide an adequate release detection method, and failing to supply records to the Department upon request.

Action: The Respondent has agreed to protect the piping connectors from corrosion and submit current leak detection test results within 30 days of receipt of the finalized order, and pay a civil penalty in the amount of seven hundred dollars (**\$700.00**). If the work is completed as agreed, the penalty will be suspended.

3) Order Type and Number: Consent Agreement 05-0695-UST  
Order Date: October 24, 2005  
Respondent: **W. J. McNeeley**  
Facility: McNeeley's Chevron  
Location/Mailing Address: 1607 Easley Bridge Rd.  
Greenville, SC 29611  
County: Greenville  
Previous Orders: None  
Permit/ID Number: 11707  
Violations Cited: UST Control Regulations, R.61-92, §280.93(a); SUPERB Act §44-2-60(B).

Summary: Mr. W. J. McNeeley owned underground storage tanks and operated a service station in Greenville, South Carolina. He removed the tanks from the ground in 1996. A petroleum release was discovered and reported at that time. Mr. McNeeley did not have the means to pay the first \$25,000 of assessment and remediation costs as required, however, there was extensive free product and a creek nearby so the UST Program proceeded using SUPERB money to assess the site and recover free product and then sought cost recovery. The Respondent violated the South Carolina Underground Storage Tank Control Regulations by failing to maintain financial responsibility for taking corrective action.

Action: The Respondent has repaid the deductible amount of twenty-five thousand dollars (\$25,000) to the SUPERB fund as agreed. No civil penalty was assessed. Clean up of the petroleum release is continuing with SUPERB funds.

### **Hazardous Waste Enforcement**

- 4)     Order Type and Number:                     Consent Order 05-16-HW  
          Order Date:                                 September 29, 2005  
          Respondent:                               **Maybank OHM d/b/a Diamond  
Cleaners**  
          Facility                                     Maybank OHM d/b/a Diamond  
Cleaners  
          Location/Mailing Address:             1947 Maybank Highway  
James Island, SC 29405  
          County:                                    Charleston  
          Previous Orders:                         N/A  
          Permit/ID Number:                     SCD 987 571 601  
          Violations Cited:                     The South Carolina Hazardous  
Waste Management Act §44-56-130(2) and the South Carolina Hazardous  
Waste Management Regulations R.61-79.262.34(c)(1)(i)/265.173(a),  
R.61-79.262.34(c)(1)(ii), R.61-79.262.44(b).

Summary: Maybank OHM d/b/a Diamond Cleaners (Respondent), located in James Island, South Carolina, is a dry cleaning business. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to make an accurate hazardous waste determination; failure to have its containers holding hazardous waste closed during storage except when it is necessary to add or remove waste; failure to mark its containers either with the words: "HAZARDOUS WASTE" or with other words identifying the contents of the containers; and failure to provide to the Department an annual declaration on or before January 31, which certifies that Diamond Cleaners is a small quantity generator and provisionally exempt from full regulation.

Action: The Respondent has agreed to: ensure compliance with the South Carolina Hazardous Waste Management Act and Regulations; ensure that all containers holding hazardous waste are closed during storage except when it is necessary to add or remove waste; ensure that all containers holding hazardous waste are marked with the words: "HAZARDOUS WASTE" or with other words identifying the contents of the containers; ensure that the location of fire extinguishers, spill control material, and fire alarm(s) are posted next to the telephone; ensure that the Department is provided with an annual declaration on or before January 31, which certifies that Diamond Cleaners is a small quantity generator and provisionally exempt for full regulation; and pay a civil penalty in the amount of one thousand, five hundred-fifty dollars (**\$1,550.00**).

- 5)     Order Type and Number:                     Consent Order 05-17-HW  
          Order Date:                                 November 10, 2005

<u>Respondent:</u>	<b>Industrial Container Services– SCII, LLC</b>
<u>Facility</u>	Industrial Container Services– SCII, LLC
<u>Location/Mailing Address:</u>	2819 Industrial Avenue North Charleston, SC 29405
<u>County:</u>	Charleston
<u>Previous Orders:</u>	03-01-HW(\$19K); 00-096-A(\$4K); 03-015-A(\$30K); 04-037-A
<u>Permit/ID Number:</u>	SCR 003 339 702
<u>Violations Cited:</u>	The South Carolina Hazardous Waste Management Act §44-56-130(2) and the South Carolina Hazardous Waste Management Regulations 61-79.34(a), R.61- 79.262.34(a)(4)/265.35, R.61-79.262.41(a)(5), and R.61-79.262.34(c)(1).

Summary: Industrial Container Services– SCII, LLC (Respondent), located in North Charleston, South Carolina, is a drum reconditioning facility. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to accurately determine if a solid waste was a hazardous waste; failure to develop and follow a written waste analysis plan; failure to maintain documents and records at the facility which include the job title for each position at the facility related to hazardous waste management, and the name of the employee filling each job; failure to maintain documents and records at the facility which include a written job description for each position; failure to maintain documents and records at the facility which include a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position; failure to retain personnel training records of current personnel until closure of the facility; failure to include in the contingency plan the names, addresses, and phone numbers of all persons qualified to act as emergency coordinator; and, failure to ensure that a copy of the contingency plan and all revisions be submitted to all local police departments, fire departments, hospitals, and State and local emergency teams that may be called upon to provide emergency services.

Action: The Respondent has agreed to: ensure compliance with the South Carolina Hazardous Waste Management Act and Regulations; ensure that that an accurate hazardous waste determination is made on all solid wastes onsite; ensure that each lamp or container or package in which such lamps are contained is labeled or marked clearly with one of the following phrases: “Universal Waste – Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s);” ensure that the waste analysis plan is up-to-date, implemented, and available for review by the Department; update training records to include a written job description for each position listed; submit to the Department documentation that the contingency plan has been updated to include the home address of the alternate emergency coordinator; ensure that a copy of the contingency plan is submitted to all local police departments, fire departments, hospitals, and State and local emergency teams

that may be called upon to provide emergency services; ensure that any paint waste generated in the drum ring painting process is disposed of as a hazardous waste; and pay to the Department a civil penalty in the amount of fourteen thousand dollars (**\$14,000.00**).

## **BUREAU OF WATER**

### **Drinking Water Enforcement**

- 6)     Order Type and Number:                      Consent Order 05-142-DW  
       Order Date:                                      October 6, 2005  
       Respondent:                                      **Laurel One Corporation**  
       Facility:     Club of Shell Hall  
       Location/Mailing Address:                      20 Shell Hall Dr.  
   Bluffton, S.C. 29910  
  
       County:    Beaufort  
       Previous Orders:                                   None  
       Permit/ID Number:                                07-1055-B  
       Violations Cited:                                S.C. Code Ann. Regs. 61-51(B)(7)  
   and S.C. Code Ann § 44-55-2340(A)

Summary: Laurel One Corporation (Respondent) owns and is responsible for a public swimming pool. The Respondent has violated the Public Swimming Pool Regulations as follows: failure to obtain final written approval to operate prior to placing the referenced pool into operation.

Action: The Respondent has agreed to: operate and maintain the public swimming pool in accordance with all applicable State laws and regulations and pay a civil penalty in the amount of two hundred seventy dollars (**\$270.00**). The civil penalty has been paid.

- 7)     Order Type and Number:                      Consent Order 05-148-DW  
       Order Date:                                      October 18, 2005  
       Respondent:                                      **Greenhaven@Pawleys**  
   **Homeowners Association, Inc.**  
       Facility:    Greenhaven@Pawleys  
       Location/Mailing Address:                      1304 Azalea Ct. Suite E  
   Myrtle Beach, S.C. 29577  
  
       County:    Georgetown  
       Previous Orders:                                   None  
       Permit/ID Number:                                22-1019-B  
       Violations Cited:                                S.C. Code Ann. Regs. 61-51(B)(7)  
   and S.C. Code Ann § 44-55-2340(A)

Summary: Greenhaven@Pawleys Homeowners Association, Inc. (Respondent) owns and is responsible for a public swimming pool. The Respondent has violated the Public Swimming Pool Regulations as follows: failure to obtain final written approval to operate prior to placing the referenced pool into operation.

Action: The Respondent has agreed to: operate and maintain the public swimming pool in accordance with all applicable State laws and regulations and pay a civil penalty in the amount of two hundred seventy dollars (\$270.00). The civil penalty has been paid.

8) Order Type and Number: Consent Order 05-149-DW  
Order Date: October 18, 2005  
Respondent: **Utilities Services of South Carolina, Inc.**  
Facility: Barney Rhett Subdivision PWS  
Location/Mailing Address: P.O. Box 4509  
West Columbia, S.C. 29171  
County: York  
Previous Orders: None  
Permit/ID Number: 4650018  
Violations Cited: S.C. Code Ann. Regs. 61-58.7(B)

Summary: Utilities Services of South Carolina, Inc. (Respondent) is responsible for the operation and maintenance of the Barney Rhett Subdivision public water system (PWS) and the Hickory Hills Subdivision PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to properly operate and maintain the Barney Rhett Subdivision PWS.

Action: The Respondent has agreed to: permanently connect both the Barney Rhett Subdivision PWS and the Hickory Hills Subdivision PWS to the City of Rock Hill PWS; properly abandon the existing wells at both subdivisions; and pay a **stipulated penalty** in the amount of two thousand five hundred and fifty dollars (\$2,550.00) if it fails to meet any requirement of this Order.

9) Order Type and Number: Consent Order 05-150-DW  
Order Date: October 18, 2005  
Respondent: **Grace Brazell**  
Facility: Brazell MHP  
Location/Mailing Address: 1241 Lower Richland Blvd.  
Hopkins, S.C. 29061  
County: Richland  
Previous Orders: None

Permit/ID Number: 4060060  
Violations Cited: S.C. Code Ann. Regs. 61-58.5(G)  
and 61-30(G)(2)

Summary: Grace Brazell (Respondent) d/b/a Brazell Mobile Home Park (MHP) is responsible for the proper operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations and the Environmental Protection Fee Regulations as follows: failure to perform the required bacteriological monitoring for the 2004 monitoring period and failure to submit the required annual State Safe Drinking Water Fees for the 2004 and 2005 fiscal years.

Action: The Respondent has agreed to: issue public notice to the residents of Brazell MHP for failure to conduct annual bacteriological monitoring; pay the balance of the annual State Safe Drinking Water Fees totaling four hundred twelve dollars and fifty cents (\$412.50); and pay a **stipulated penalty** in the amount of seven hundred dollars (**\$700.00**) if she fails to meet any requirement of this Order.

10) Order Type and Number: Consent Order 05-162-DW  
Order Date: October 26, 2005  
Respondent: **Upstate Water Resources, Inc.**  
Facility: Bay Ridge Subdivision  
Location/Mailing Address: 196 West Ridge Dr.  
Travelers Rest, S.C. 29690  
County: Oconee  
Previous Orders: 05-008-DW Keowee Bay S/D  
(\$4,000 stipulated)  
Permit/ID Number: 3750027  
Violations Cited: S.C. Code Ann. Regs. 61-58.7(D)(2),  
61-58.1(B)(1), and 61-58.7(D)(15)

Summary: Upstate Water Resources, Inc. (Respondent) is responsible for the proper operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: failed to provide a treatment operator.

Action: The Respondent has agreed to: employ a treatment operator of at least grade "D" to conduct daily inspections at the Bay Ridge Subdivision PWS and submit a copy of the contract to the Department, and pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**).

11) Order Type and Number: Consent Order 05-165-DW  
Order Date: October 26, 2005

<u>Respondent:</u>	<b>Christopher W. Campbell</b>
<u>Facility:</u>	Prince William Plantation
<u>Location/Mailing Address:</u>	Box 10 Sheldon, S.C. 29941
<u>County:</u>	Beaufort
<u>Previous Orders:</u>	05-039-DW (\$6,000)
<u>Permit/ID Number:</u>	0750035
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.5(G) 61-58.6(E)

Summary: Christopher W. Campbell (Respondent) d/b/a Prince William Plantation is responsible for the operation and maintenance of a PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to properly operate and maintain the PWS; failure to conduct bacteriological monitoring for 4 monitoring periods; and failure to issue public notice for bacteriological non-monitoring and a Maximum Contaminant Level (MCL) exceedance.

Action: The Respondent has agreed to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; immediately begin to perform monthly bacteriological monitoring; submit any monitoring reports for the missing 4 monitoring periods; issue public notice for the bacteriological non-monitoring and for the MCL exceedance; install an isolation valve; install a tank drain; and install bypass piping. A civil penalty in the amount of four thousand dollars (**\$4,000.00**) is **suspended** due to financial circumstances.

12)	<u>Order Type and Number:</u>	Administrative Order 05-154-DW
	<u>Order Date:</u>	October 21, 2005
	<u>Respondent:</u>	<b>Brown's Ferry Water Company, Inc.</b>
	<u>Facility:</u>	Brown's Ferry Water Company
	<u>Location/Mailing Address:</u>	6730 Johnson Road Georgetown, S.C. 29440
	<u>County:</u>	Georgetown
	<u>Previous Orders:</u>	04-120-DW (\$2880), 04-118-DW (\$850), and 03-223-DW (\$2400)
	<u>Permit/ID Number:</u>	PWS# 2220003; GWP# 22-WS-007
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.12(B) and S.C. Code Ann. § 49-5-90 (A) (Supp. 2004)

Summary: Brown's Ferry Water Company, Inc. (Respondent) owns and is responsible for the operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations and the Ground Water Use and Reporting Act as follows: failed to submit the annual



quantity of groundwater withdrawn for the 2004 calendar year and failed to submit to its customers and the Department a Consumer Confidence Report (CCR) for the 2004 calendar year.

Action: The Respondent has been ordered to: operate and maintain the PWS in accordance with all applicable State and Federal laws and regulations; submit the completed 2004 Water Use Report Form; issue the 2004 CCR to the customers of the PWS and submit a copy of the 2004 CCR and the CCR certification form to the Department; and pay a civil penalty in the amount of six thousand five hundred dollars **(\$6,500.00)**.

- 13)    Order Type and Number:                      Consent Order 05-153-DW  
         Order Date:                                        November 2, 2005  
         Respondent:                                        **Jeff Rigg d/b/a Pool Renovations**  
         Facility:    Southwind Shipyard Plantation  
         Location/Mailing Address:                      #2 Chisolm Court  
            Bluffton, S.C. 29910  
  
         County:    Beaufort  
         Previous Orders:                                      01-204-DW (\$2040)  
         Permit/ID Number:                                  07-442D  
         Violations Cited:                                  S.C. Code Ann. Regs. 61-51(I)(1)  
         and S.C. Code Ann § 44-55-2340(A)

Summary: Jeff Rigg (Respondent) d/b/a Pool Renovations is responsible for the tile modification of the Carolina Club public swimming pool located at Southwind Shipyard Plantation. The Respondent has violated the Public Swimming Pool Regulations as follows: failure to submit a Change Order Request before beginning modifications of the pool.

Action: The Respondent has agreed to: operate and maintain the public swimming pool in accordance with all applicable State laws and regulations and pay a civil penalty in the amount of three hundred forty dollars **(\$340.00)**.

- 14)    Order Type and Number:                      Consent Order 05-166-DW  
         Order Date:                                        November 17, 2005  
         Respondent:                                        **African Theological Archministry,**  
            **Inc.**  
         Facility:    Kingdom of Oyotunji African  
            Village  
         Location/Mailing Address:                      P.O. Box 51  
            Sheldon, S.C. 29941  
  
         County:    Beaufort  
         Previous Orders:                                      None

<u>Permit/ID Number:</u>	0750042
<u>Violations Cited:</u> and 61-30(G)(2)	S.C. Code Ann. Regs. 61-58.5(G)

Summary: African Theological Archministry, Inc. (Respondent) is responsible for the proper operation and maintenance of a public water system (PWS) that serves the residents of the Kingdom of Oyotunji African Village. The Respondent has violated the State Primary Drinking Water Regulations and the Environmental Protection Fees Regulations as follows: failure to perform the required bacteriological monitoring for the 1999, 2000, 2001, 2002, 2003, and 2004 monitoring periods and failure to submit the required annual State Safe Drinking Water Fees for the 1999, 2000, 2001, 2002, 2003, and 2004 fiscal years.

Action: The Respondent has agreed to: issue public notice for failure to conduct annual bacteriological monitoring during the 1999, 2000, 2001, 2002, 2003, and 2004 monitoring periods; pay the balance of the annual State Safe Drinking Water Fees for fiscal years 1999, 2000, 2001, 2002, 2003, and 2004, totaling one thousand one hundred fifty-five dollars and two cents (\$1,155.02); and pay a civil penalty of seven hundred dollars (**\$700.00**).

15)	<u>Order Type and Number:</u>	Consent Order 05-168-DW
	<u>Order Date:</u>	November 17, 2005
	<u>Respondent:</u>	<b>Giles Engineering Associates, Inc.</b>
	<u>Facility:</u>	Giles Engineering
	<u>Location/Mailing Address:</u>	N8W22350 Johnson Drive, Ste. A1 Waukesha, WI 53186-1679
	<u>County:</u>	Marion
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	N/A
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61- 71(H)(1)(a) and (D)(1)

Summary: Giles Engineering Associates, Inc. (Respondent) is responsible for the proper installation of 2 temporary monitoring wells located at 2427 East U.S. Highway 76 (Site) in Marion, South Carolina. The Respondent has violated the South Carolina Well Standards and Regulations as follows: failure to obtain Department approval prior to the installation of 2 temporary monitoring wells and failure to construct the wells using a South Carolina certified well driller.

Action: The Respondent has agreed to: comply with all State rules and regulations concerning well construction and pay a civil penalty of five thousand six hundred dollars (**\$5,600.00**). The civil penalty has been paid.

### **Water Pollution Enforcement**

- 16) Order Type and Number: Consent Order 05-141-W  
Order Date: October 6, 2005  
Respondent: **Valley Falls Road Associates, Inc.**  
Facility: Spring Valley Subdivision  
Location/Mailing Address: P.O. Box 6190  
Spartanburg, S.C. 29304  
County: Spartanburg  
Previous Orders: None  
Permit/ID Number: SCR109783  
Violations Cited: S.C. Code Ann. § 48-1-110 (Supp. 2004) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp.2004)

Summary: Valley Falls Road Associates, Inc (Respondent) owns and is responsible for development and construction activities at its Spring Valley Subdivision (Site) located at the intersection of Valley Falls Road and Hanging Rock Road. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to install and maintain all sediment and erosion control devices and discharged sediment into the environment, including waters of the State.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a report completed and stamped by an South Carolina Registered Professional Engineer certifying that implementation of the necessary storm water and sediment control devices are complete and in accordance with the approved plans and specifications; and pay a civil penalty in the amount of twenty thousand four hundred dollars (\$20,400.00).

- 17) Order Type and Number: Consent Order 05-143-W  
Order Date: October 3, 2005  
Respondent: **City of Columbia**  
Facility: North Columbia Sewer Lift Station  
Location/Mailing Address: P.O. Box 147  
Columbia, S.C. 29217  
County: Richland  
Previous Orders: None  
Permit/ID Number: SC0020940  
Violations Cited: S.C. Code Ann § 48-1-90(a) (1987) and 25 S.C. Code Ann. Regs. 61-68.E(5)(d) (Supp. 2004)

Summary: City of Columbia (Respondent) is responsible for the proper operation and maintenance of the North Columbia Sewer Lift Station (Site). The Respondent has violated the Pollution Control Act and the Water Classification

and Standards as follows: discharged untreated wastewater into the environment, including waters of the State.

Action: The Respondent has agreed to: submit 3 copies of an administratively and technically complete construction permit application for repairs to the lift station, including plans and specifications and a schedule for implementation of the repairs; upon approval of the Permit to Construct, implement the repairs; and pay a civil penalty in the amount of fourteen thousand dollars (**\$14,000.00**). The civil penalty has been paid.

18) Order Type and Number: Consent Order 05-144-W  
Order Date: October 18, 2005  
Respondent: **Lubricant Technologies**  
Facility: Lubricant Technologies WWTF  
Location/Mailing Address: 1445 Greenleaf Street  
Charleston, S.C. 29405  
County: Charleston  
Previous Orders: None  
Permit/ID Number: SC0047261  
Violations Cited: S.C. Code Ann § 48-1-110(d) (1987)  
and 24 S.C. Code Ann. Regs. 69.9-122.21(d)(1) (Supp. 2004)

Summary: Lubricant Technologies (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF serving its lubricant and petroleum plant. ExxonMobil Lubricant and Petroleum Specialties Company formerly owned this site. The Respondent has violated the Pollution Control Act, the Water Pollution Control Permit Regulations and the National Pollutant Discharge Elimination System (NPDES) Permit as follows: failed to submit an administratively complete application for the renewal of its permit at least 180 days prior to the expiration date.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with the NPDES permit and Department regulations; continue to operate and maintain the WWTF in accordance with the existing NPDES permit until a new permit becomes effective; and pay a civil penalty in the amount of three thousand two hundred dollars (**\$3,200.00**). The civil penalty has been paid.

19) Order Type and Number: Consent Order 05-145-W  
Order Date: October 3, 2005  
Respondent: **Rodney Hill**  
Facility: Southern Suds  
Location/Mailing Address: 1129 Barnyard Road  
Bonneau, S.C. 29431

<u>County:</u>	Berkeley
<u>Previous Orders:</u>	N/A
<u>Permit/ID Number:</u>	SCG750008
<u>Violations Cited:</u>	24 S.C. Code Ann. Regs. 61-9.122.41(a) and (1)(4) (Supp. 2004)

Summary: Rodney Hill (Respondent) is responsible for the operation of the Southern Suds car wash. The Respondent has violated the Water Pollution Control Permit Regulations as follows: failed to submit discharge monitoring reports (DMRs).

Action: The Respondent has agreed to: pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**) in quarterly installments.

20) <u>Order Type and Number:</u>	Consent Order 05-146-W
<u>Order Date:</u>	October 3, 2005
<u>Respondent:</u>	<b>Kershaw County</b>
<u>Facility:</u>	Lugoff WWTF
<u>Location/Mailing Address:</u>	515 Walnut Street Camden, S.C. 29020
<u>County:</u>	Kershaw
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	SC0039870
<u>Violations Cited:</u>	S.C. Code Ann. § 48-1-110(d) (Supp. 2004) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (d), 61-9.403.1(a) and 61.9.403.8 (Supp. 2004)

Summary: Kershaw County (Respondent) is responsible for the operation and maintenance of the Kershaw County/Lugoff WWTF. The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: failed to comply with the effluent limits for biochemical oxygen demand (BOD) and toxicity and failed to implement a Pretreatment Program.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; complete removal of sludge from the WWTF; submit an Updated Operation and Maintenance Manual; conduct pretreatment inspections and monitor the effluent at the categorical industries discharging into the WWTF collection system; submit a report containing the results of the inspections and monitoring of the categorical industries; submit an approvable pretreatment program for the WWTF collection system and implement the Department approved pretreatment program; and pay a civil penalty in the amount of sixteen thousand six hundred dollars (**\$16,600.00**).

- 21)    Order Type and Number:                      Consent Order 05-151-W  
       Order Date:                                      October 18, 2005  
       Respondent:                                    **Town of Chapin**  
       Facility:                                        Town of Chapin WWTF  
       Location/Mailing Address:                P.O. Box 183  
   Chapin, S.C. 29036  
  
       County:                                        Lexington  
       Previous Orders:                              01-001-W (\$4,000)  
       Permit/ID Number:                        SC0040631  
       Violations Cited:                        S.C. Code Ann § 48-1-110(d) (Supp.  
   2004) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp. 2004)

Summary: The Town of Chapin (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to submit an administratively complete application for the renewal of the NPDES Permit.

Action: The Respondent has agreed to: continue to operate the WWTF in accordance with the existing NPDES Permit until a new permit becomes effective and pay a civil penalty in the amount of three thousand four hundred dollars (**\$3,400.00**).

- 22)    Order Type and Number:                      Consent Order 05-152-W  
       Order Date:                                      October 18, 2005  
       Respondent:                                    **Eagle Construction Co.**  
       Facility:                                        Rangeview Circle Storm Drain  
       Location/Mailing Address:                5007 Trenholm Road  
   Columbia, S.C. 29206  
  
       County:                                        Pickens  
       Previous Orders:                              05-028-W (\$9800)  
       Permit/ID Number:                        SCR105890  
       Violations Cited:                        S.C. Code Ann. § 48-1-90(a) (1987),  
   S.C. Code Ann. Regs. 61-9.122.41(a) and (e)(1) (Supp. 2004) and 61-68.E  
   (5)(d)

Summary: Eagle Construction Company, Inc. (Respondent) is responsible for the removal of sediment from a storm drain system located along and in the right-of-way of Rangeview Circle. The Respondent has violated the Pollution Control Act as follows: discharged sediment into the environment, including waters of the State.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with State and Federal regulations and guidelines and pay a civil penalty in the amount of six thousand eight hundred dollars (**\$6,800.00**). The penalty has been paid.

23)    Order Type and Number:                      Consent Order 05-155-W  
       Order Date:                                      October 20, 2005  
       Respondent:                                      **Richland County School District One**  
       Facility:    Gadsden Elementary WWTF  
       Location/Mailing Address:                      201 Park Street  
   Columbia, S.C. 29201  
       County:    Richland  
       Previous Orders:                                      None  
       Permit/ID Number:                                      SC0031526  
       Violations Cited:                                      S.C. Code Ann. § 48-1-110(d)  
   (Supp. 2004) and 24 S.C. Code Ann. Regs. 61-9.122.41(d) (Supp. 2004)

Summary: Richland County School District One (Respondent) owns and is responsible for the WWTF serving the Gadsden Elementary School located on SC Highway 769 off SC Highway 48. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to comply with the permitted discharge limits for dissolved oxygen (DO) and ammonia-nitrogen (NH<sub>3</sub>-N).

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with State and Federal regulations and guidelines and pay a civil penalty in the amount of six thousand eight hundred dollars (\$6,800.00).

24)    Order Type and Number:                      Consent Order 05-156-W  
       Order Date:                                      October 20, 2005  
       Respondent:                                      **Hexion Specialty Chemicals**  
       Facility:    Hexion Specialty Chemicals WWTF  
       Location/Mailing Address:                      200 Railroad Street  
   Roebuck, S.C. 29736  
       County:    Spartanburg  
       Previous Orders:                                      None  
       Permit/ID Number:                                      SC0002321  
       Violations Cited:                                      S.C. Code Ann. § 48-1-110(d)  
   (Supp. 2004) and 24 S.C. Code Ann. Regs. 61-9.122.41 (a) and (d) (Supp. 2004).

Summary: Hexion Specialty Chemicals (Respondent) is responsible for the operation and maintenance of a WWTF serving its chemical manufacturing facility. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits as follows: failed to comply with the effluent limits for BOD.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit an application for a permit to construct a sewer line to connect the WWTF to the Spartanburg Sanitary Sewer District (SSSD) collection system; complete construction of the sewer line and eliminate the WWTF National Pollutant Discharge Elimination System (NPDES) Permit discharge; and pay a civil penalty in the amount of one thousand seven dollars (\$1,700.00). The penalty has been paid.

25) Order Type and Number: Consent Order 05-157-W  
Order Date: October 20, 2005  
Respondent: **Delta Development Group, LLC**  
Facility: Hunter's Ridge Subdivision Phase I & II  
Location/Mailing Address: 2583 Kershaw-Camden Highway  
Lancaster, S.C. 29720  
County: Lancaster  
Previous Orders: None  
Permit/ID Number: Unpermitted (Phase I) 29-02-09-02  
(Phase II)  
Violations Cited: S.C. Code Ann. §§ 48-1-90(a) and  
48-1-110(d) (1987 and Supp. 2004) and 24 S.C. Code Ann. Regs. 61-  
9.122.26(c)(1) and 61-9.122.41(a) (Supp. 2004)

Summary: Delta Development Group, LLC (Respondent) is responsible for land disturbing and construction activities associated with the development of the Hunter's Ridge Subdivision Phase I and II. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: initiated land disturbing and construction activities prior to obtaining an NPDES Permit and discharged sediment into the environment in a manner other than in compliance with the permit.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a corrective action plan (CAP) with a schedule; and pay a civil penalty in the amount of seventeen thousand dollars (\$17,000.00).

**Additional Information: None**

26) Order Type and Number: Consent Order 05-158-W  
Order Date: October 20, 2005  
Respondent: **Chris Anderson**  
Facility: Needmore Dairy  
Location/Mailing Address: P.O. Box 251  
Moore, S.C. 29369  
County: Spartanburg  
Previous Orders: None



Permit/ID Number: None  
Violations Cited: S.C. Code Ann. §§ 48-1-90(a) and 48-1-110(a)(1) and (3) (1987 and Supp. 2004) and 25 S.C. Code Ann. Regs. 61-43.200 (Supp. 2002)

Summary: Chris Anderson (Respondent) d/b/a Needmore Dairy is responsible for the proper operation and maintenance of a dairy facility. The Respondent has violated the Pollution Control Act and the Standards for the Permitting of Agricultural Animal Facilities as follows: discharged agricultural waste products into the environment of the State and placed a dairy farm into operation without the appropriate permits or approvals.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a revised animal facility management plan; construct all necessary upgrades and request approval to operate from the Region II EQC Office; and pay a civil penalty in the amount of three thousand dollars (\$3,000.00) in quarterly installments.

27) Order Type and Number: Consent Order 05-164-W  
Order Date: October 27, 2005  
Respondent: **BVI Development Corp.**  
Facility: Spartan Exchange Subdivision  
Location/Mailing Address: 753 East Main Street  
Spartanburg, S.C. 29303  
County: Spartanburg  
Previous Orders: None  
Permit/ID Number: SCR10A183  
Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987), 25 S.C. Code Ann. Regs. 61-68.E(5)(d) (Supp. 2004) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2004)

Summary: BVI Development Corp. (Respondent) is responsible for the installation, operation and maintenance of stormwater management and sediment reduction controls at the Spartan Exchange Subdivision. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: discharged sediment into the environment and waters of the State, including deleterious material into waters of the State that is harmful to aquatic life and that interferes with classified or existing water uses and failed to install and maintain erosion and sediment controls in accordance with the approved plan as required by the NPDES Permit.

Action: The Respondent has agreed to: submit a report completed by a South Carolina Registered Professional Engineer, certifying that all sediment and erosion control devices are installed and functioning properly as specified by the

approved sediment and erosion control plan and pay a civil penalty in the amount of nine thousand eight hundred dollars (\$9,800.00).

28) Order Type and Number: Administrative Order 05-127-W  
Order Date: September 2, 2005  
Respondent: **Taylor Brothers Construction Company, Inc.**  
Facility: Polk Williams Tract  
Location/Mailing Address: P.O. Box 90536  
Columbia, S.C. 29290  
County: Sumter  
Previous Orders: None  
Permit/ID Number: N/A  
Violations Cited: S.C. Code Ann. § 48-1-90(a) (1987)  
and 25 S.C. Code Ann. Regs. 61-68.E(5)(d) (Supp. 2004)

Summary: Taylor Brothers Construction Company, Inc. (Respondent) is responsible for logging and land clearing activities on the Polk Williams Tract (Site). The Respondent has violated the Pollution Control Act and Water Classifications and Standards as follows: discharged logging debris into the environment, including waters of the State and failed to keep waters of the State free of deleterious materials which are harmful to aquatic life and/or interfere with classified or existing uses.

Action: The Respondent has been ordered to: comply with all applicable State and Federal regulations; appropriately cleanup the Site; attend the Top Streamside Management Zone (SMZ) Class provided by the South Carolina Forestry Commission; and pay a civil penalty in the amount of twenty thousand dollars (\$20,000.00).

29) Order Type and Number: Consent Order 05-159-W  
Order Date: November 2, 2005  
Respondent: **Paradise Shrimp Farms of SC**  
Facility: Paradise Shrimp Farms of SC  
WWTF  
Location/Mailing Address: 3465 Highway 174  
Edisto Island, S.C. 29438  
County: Charleston  
Previous Orders: None  
Permit/ID Number: SC0040401  
Violations Cited: S.C. Code Ann § 48-1-110(d) (Supp  
2004, and 24 S.C. Code Ann. Regs. 61-9.122.41(a) & (e) (Supp. 2004)

Summary: Paradise Shrimp Farms of SC (Respondent) owns and is responsible for the proper operation and maintenance of a seafood production facility. The Respondent has violated the Pollution Control Act and the Water Pollution Control Permit Regulations as follows: exceeded the permitted discharge limits for fecal coliform bacteria.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with all applicable State and Federal laws and regulations; implement the bird minimization plan as approved by the Department; and pay a civil penalty in the amount of four thousand two hundred dollars (**\$4,200.00**). The civil penalty has been paid.

30)    Order Type and Number:                      Consent Order 05-160-W  
         Order Date:                                        November 2, 2005  
         Respondent:                                        **Tuley & Associates**  
         Facility:    Dorman Meadows Subdivision  
         Location/Mailing Address:                      1950 N. Park Place, Bldg 300  
            Atlanta, GA 30339  
         County:    Spartanburg  
         Previous Orders:                                      None  
         Permit/ID Number:                                  None  
         Violations Cited:                                  S.C. Code Ann. § 48-1-110(a)(1)  
            (1987), 24 S.C. Code Ann. Regs. 61-9.122.41(a) & (e) (Supp. 2004),  
            61.9.122.21(a)(2) (Supp. 2004), and 25 S.C. Code Ann. Regs. 61-67(100)  
            (Supp.2004)

Summary: Tuley and Associates (Respondent) owns and is responsible for the proper construction of a wastewater collection system (WWCS) serving the residents of the Dorman Meadows Subdivision. The Respondent has violated the Pollution Control Act, the South Carolina Standards for Wastewater Facility Construction, and the Water Pollution Control Permit Regulations as follows: failed to obtain a WWCS construction permit for an additional five hundred thirty-six linear feet (536 LF) of line and 4 manholes prior to its construction.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with all applicable State and Federal laws and regulations; submit an “as-built” report requesting a modification to the construction permit to include the extra line and manholes; and pay a civil penalty in the amount of two thousand eight hundred dollars (**\$2,800.00**).

31)    Order Type and Number:                      Consent Order 05-163-W  
         Order Date:                                        November 3, 2005  
         Respondent:                                        **Spartanburg Sanitary Sewer Dist.**  
         Facility:    Lower North Tyger WWTF

Location/Mailing Address: P.O. Box 251  
Spartanburg, S.C. 29304  
County: Spartanburg  
Previous Orders: 02-246-W(\$4200); 04-055-W  
Permit/ID Number: SC0048143  
Violations Cited: S.C. Code Ann. § 48-1-110(d)  
(Supp. 2004) and 24 S.C. Ann. Regs. 61-9.122.41(a)(1) and (e) (Supp. 2004)

Summary: The Spartanburg Sanitary Sewer District (Respondent) owns and is responsible for the proper operation and maintenance of the Lower North Tyger WWTF (Site). The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to comply with the permitted discharge limits for fecal coliform.

Action: The Respondent has agreed to: submit a summary of corrective actions taken to date to prevent future fecal coliform violations and pay a civil penalty in the amount of five thousand one hundred dollars (\$5,100.00).

32) Order Type and Number: Consent Order 05-167-W  
Order Date: November 2, 2005  
Respondent: **SCDOT/Blythe Construction, Inc.**  
Facility: US I-385 and Villa Road Widening  
Location/Mailing Address: P.O. Box 191  
Columbia, S.C. 29202  
County: Greenville  
Previous Orders: None  
Permit/ID Number: None  
Violations Cited: S.C. Code Ann § 48-1-90(a) (1987),  
24 S.C. Code Ann. Regs. 61-9.122.41(a) & (e) (Supp. 2004) and 25 S.C.  
Code Ann. Regs. 61-68(E)(5) (Supp.2004)

Summary: South Carolina Department of Transportation (SCDOT) and Blythe Construction (Respondents) are responsible for the construction activities at the US I-385 and Villa Road Widening Project. The Respondents have violated the Pollution Control Act, the Water Pollution Control Permit Regulations and the Water Classification & Standards as follows: failed to comply with permit conditions by discharging sediment into waters of the State.

Action: The Respondent has agreed to: comply with all permitting and operating requirements in accordance with all applicable State and Federal laws and regulations; submit a report by a South Carolina Registered Professional Engineer certifying that all storm water and sediment control devices are complete and in accordance with approved plans and specifications; and pay a civil penalty in the amount of twenty thousand dollars (\$20,000.00).

33)    Order Type and Number:                      Consent Order 05-171-W  
          Order Date:                                      November 17, 2005  
          Respondent:                                      **Town of Norway**  
          Facility:    Town of Norway WWTF  
          Location/Mailing Address:                      P.O. Box 127  
             Norway, S.C. 29113  
          County:    Orangeburg  
          Previous Orders:                                      01-183-W (\$0)  
          Permit/ID Number:                                      SC0045993  
          Violations Cited:                                      S.C. Code Ann. § 48-1-110(d)  
          (Supp. 2004) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp.  
          2004)

Summary: The Town of Norway (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to comply with the effluent discharge limits of its National Pollution Discharge Elimination System (NPDES) permit for total residual chlorine (TRC) and failed to properly operate and maintain all units of treatment and control in accordance with the requirements of the NPDES permit.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a detailed summary of corrective actions taken to ensure compliance; and pay a civil penalty in the amount of eight thousand four hundred dollars (**\$8,400.00**). The civil penalty is to be paid in quarterly installments.

34)    Order Type and Number:                      Consent Order 05-172-W  
          Order Date:                                      November 21, 2005  
          Respondent:                                      **Detyens Shipyards, Inc.**  
          Facility:    Wando Yard  
          Location/Mailing Address:                      1670 Drydock Avenue  
             N. Charleston, S.C. 29405  
          County:    Berkeley  
          Previous Orders:                                      00-060-A(\$11K), 00-061-A(\$56K),  
             01-009-HW(\$10K), 01-117-W  
             (\$4200), 03-120-W(\$6K), 05-043-W  
             (\$9600)  
          Permit/ID Number:                                      SC0033022  
          Violations Cited:                                      S.C. Code Ann. § 48-1-110(d) and  
          24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp.2004)

Summary: Detyens Shipyards, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF serving the employees and customers of the Wando Yard facility located off U.S. Highway 41. The Respondent has violated the Pollution Control Act and associated regulations as follows: failed to properly operate and maintain all units of treatment and control and failed to comply with all requirements of the NPDES.

Action: The Respondent has agreed to: comply with all applicable State and Federal regulations; submit a summary of corrective actions taken to date to correct the operations problems; and pay a civil penalty in the amount of nine thousand six hundred dollars (**\$9,600.00**).

35)    Order Type and Number:                      Consent Order 05-174-W  
       Order Date:                                        November 21, 2005  
       Respondent:                                        **David Cox and Tower Homes, Inc**  
       Facility:     Hidden Hills Subdivision (SD)  
       Location/Mailing Address:                   Beverly Drive  
   Easley, S.C.  
       County:     Pickens  
       Previous Orders:                                   None  
       Permit/ID Number:                            39-03-04-01  
       Violations Cited:                                S.C. Code Ann. § 48-1-10 to –350  
   (1987 & Supp. 2004), 48-14-10 to –170 (Supp. 2004), 24 S.C. Code Ann.  
   Regs. 61-9.122.41(a)(e) (Supp.2004), and S.C. Code Ann. Regs 72-305  
   (B)(3)

Summary: David Cox and Tower Homes, Inc. (Respondents) own and are responsible for development and construction activities at the Hidden Hills SD (Site) located off Beverly Drive in the Town of Easley, South Carolina. The Respondents have violated the Pollution Control Act, Standards for Stormwater Management and Sediment Reduction and associated regulations as follows: initiated land disturbing activities prior to obtaining a permit and discharged storm water associated with construction activities into the environment in a manner other than in compliance with a permit.

Action: The Respondents have agreed to: comply with all applicable State and Federal regulations; submit a report completed and stamped by a South Carolina Registered Professional Engineer certifying that implementation of the necessary storm water and sediment control devices are complete and in accordance with the approved plans and specifications; and pay a civil penalty in the amount of twenty-two thousand dollars (**\$22,000.00**).

## **BUREAU OF AIR QUALITY**

- 36)    Order Type and Number:                      Consent Order 05-047-A  
       Order Date:                                      October 3, 2005  
       Respondent:                                      **Palmetto      Site      Construction**  
   **Company, Inc.**  
       Facility:    Avalon Subdivision  
       Location/Mailing Address:                      6542 Atomic Road  
   Aiken, SC 29803  
       County:    Greenwood  
       Previous Orders:                                      None  
       Permit/ID Number:                                      None  
       Violations Cited:                                      South Carolina Air Pollution Control  
   Regulation 61-62.2, Prohibition of Open Burning

Summary: Palmetto Site Construction, Inc. (Respondent), located in Aiken, South Carolina, is a construction and land-clearing contractor. The Respondent has violated South Carolina Air Pollution Control Regulations as follows: burning materials other than those allowed by Section I of the Regulation and burning land-clearing debris within 1,000 feet of public roadways and residential sites.

Action: The Respondent has agreed to: henceforth cease open burning, except in accordance with South Carolina Air Pollution Control Regulations; and pay to the Department a civil penalty in the amount of four thousand dollars (**\$4,000.00**). The penalty is due November 3, 2005.

- 37)    Order Type and Number:                      Consent Order 05-048-A  
       Order Date:                                      October 5, 2005  
       Respondent:                                      **Giant Cement Company**  
       Facility:    Giant Cement Company  
       Location/Mailing Address:                      PO Box 218  
   Harleyville, SC 29448  
       County:    Dorchester  
       Previous Orders:                                      01-016-A (\$4,000); 02-018-A  
   (\$9,000); 04-067-A (\$10,000);  
   99-047-HW (\$27,500); 00-033-HW  
   (\$4500); 00-082-W (\$4500)  
       Permit/ID Number:                                      0900-0002  
       Violations Cited:                                      Consent Order 04-067-A; S.C. Code  
   Ann. § 48-1-90(a); U.S. EPA 40 CFR 63.7(a)(2) and 63.10(d)(3) and  
   South Carolina Air Pollution Control Regulation 61-62.63 - Subpart A;  
   and U.S. EPA 40 CFR 63.1347, 63.1348, 63.1353(b)(5), 63.6(h), and

63.9(h)(2)(ii) and South Carolina Air Pollution Control Regulation 61-62.63 - Subparts LLL and A.

Summary: Giant Cement Company (Respondent) operates a Portland cement manufacturing facility. The Respondent violated Federal and State regulations and permit requirements as follows: failed to conduct initial compliance demonstrations for nine sources within 180 days of the compliance date; failed to submit each completed Notification of Compliance Status (NOCS) in accordance with the requirements; failed to submit test reports of Visible Emissions Observations (VEO) for three sources within 30 days of completion of the compliance demonstrations; failed to limit opacity from a conveying system transfer point to 10%; and failed to limit opacity from a dust collector to 10%.

Action: The Respondent has agreed to conduct an initial compliance demonstration for any new sources within 180 days of the relevant compliance date; submit an NOCS within 60 days following completion of each relevant compliance demonstration for new sources; submit a test report for any required VEO within 30 days of completion of the relevant compliance demonstration; limit opacity from particulate matter emissions discharged from air pollution control devices and conveying system transfer points to 10%; and pay a civil penalty in the amount of thirteen thousand five hundred dollars (**\$13,500.00**). The penalty has been paid.

38)	<u>Order Type and Number:</u>	Consent Order 05-049-A
	<u>Order Date:</u>	October 21, 2005
	<u>Respondent:</u>	<b>J. R. Wilson Construction Co., Inc.</b>
	<u>Facility:</u>	J. R. Wilson Construction Co., Inc.
	<u>Location/Mailing Address:</u>	4985 Savannah Hwy Hampton, SC 29924
	<u>County:</u>	Hampton County
	<u>Previous Orders:</u>	01-074-A
	<u>Permit/ID Number:</u>	None
	<u>Violations Cited:</u>	South Carolina Air Pollution Control Regulation 61-62.2, <i>Prohibition of Open Burning</i> ; and Consent Order 01-074-A

Summary: J. R. Wilson Construction Co., Inc. (Respondent), located in Hampton, South Carolina, is a land-clearing contractor. The Respondent violated South Carolina Air Pollution Control Regulations and Consent Order 01-074-A in that it burned land-clearing debris within 1,000 feet of a residential site, and failed to cease open burning except as provided by the South Carolina Air Pollution Control Regulations, as required by the Order.

Action: The Respondent has agreed to immediately and henceforth cease open burning except as provided by South Carolina Air Pollution Control Open



Burning Regulations, and pay a civil penalty in the amount of six thousand five hundred dollars (\$6,500.00).

- 39)    Order Type and Number:                      Consent Order 05-51-A  
       Order Date:                                      October 20, 2005  
       Respondent:                                      **Carolina Polymers, LLC**  
       Facility:     Carolina Polymers, LLC  
       Location/Mailing Address:                      1116 Tanner Rd  
   Taylors, SC 29687  
       County:     Greenville County  
       Previous Orders:                                      None  
       Permit/ID Number:                                      1200-0032  
       Violations Cited:                                      South Carolina Air Pollution Control  
   Regulation 61-62.70, Title V Operating Permit Program.

Summary: Carolina Polymers, LLC (Respondent), located in Taylors, South Carolina, manufactures water-based polymers for various industrial and commercial applications. The Respondent violated South Carolina Air Pollution Control Regulations as follows: failure to submit an application for a Title V Operating Permit within 12 months of becoming subject to the Regulation.

Action: The Respondent submitted an application for renewal of its Conditional Major Air Quality Permit on June 29, 2005, and has agreed to comply with all terms and conditions of the Conditional Major Air Quality Permit, effective August 14, 1999, until such time as the Department takes final action on the application for renewal.

- 40)    Order Type and Number:                      Consent Order 05-053-A  
       Order Date:                                      November 14, 2005  
       Respondent:                                      **Banks Brothers Asphalt Paving**  
       Facility:     Banks Brothers Asphalt Paving  
       Location/Mailing Address:                      3190 Highway 25 North  
   Travelers Rest, SC 29690  
       County:     Greenville County  
       Previous Orders:                                      None  
       Permit/ID Number:                                      9900-0454  
       Violations Cited:                                      South Carolina Air Pollution Control  
   Regulation 61-62.1, Permit Requirements, and U.S. EPA Regulation at 40  
   CFR 60 Subpart A, General Provisions.

Summary: Banks Brothers Asphalt Paving (Respondent) owns and operates an asphalt plant in Travelers Rest, South Carolina. The Respondent violated South Carolina Air Pollution Control Regulations as follows: the Respondent commenced construction of an asphalt plant prior to obtaining

required Department-issued permits. The Respondent also failed to submit initial notification of construction within 30 days after construction commenced, as required by Subpart A.

Action: The Respondent has agreed henceforth to ensure that it applies for and obtains required Department-issued permits prior to installing, operating or modifying sources of air pollutants, and pay a civil penalty in the amount of three thousand dollars **(\$3,000.00)**.

41) Order Type and Number: Consent Order 05-054-A  
Order Date: November 22, 2005  
Respondent: **Korn Industries, Inc.**  
Facility: Korn Industries, Inc.  
Location/Mailing Address: PO Box 100  
Sumter, South Carolina 29151  
County: Sumter County  
Previous Orders: 01-037-A(\$5K)  
Permit/ID Number: 2140-0009  
Violations Cited: S. C. Code Ann. § 48-1-110(d).

Summary: Korn Industries, Inc. (Respondent), located in Sumter, South Carolina, manufactures bedroom and dining room furniture. The Respondent violated the South Carolina Pollution Control Act as follows: failure to conduct a biennial source test of a designated boiler to demonstrate compliance with its PM emission limit within the two year time frame, as required by the Permit.

Action: The Respondent conducted the required source test for PM emissions, agreed to comply henceforth with its source testing requirements as specified by its Permit, and to pay a civil penalty in the amount of three thousand dollars **(\$3,000.00)**.

42) Order Type and Number: Consent Order 05-055-A  
Order Date: November 23, 2005  
Respondent: **Cherokee County Cogeneration Partners, LP**  
Facility: Cherokee County Cogeneration Partners, LP  
Location/Mailing Address: 132 Peoples Creek Road  
Gaffney, SC 29340  
County: Cherokee County  
Previous Orders: None  
Permit/ID Number: 0600-0060

Violations Cited:  
Regulation 61-62.72, Acid Rain.

South Carolina Air Pollution Control

Summary: Cherokee County Cogeneration Partners, L. P. (Respondent), located in Cherokee, South Carolina, is an electric utility. The Respondent violated South Carolina Air Pollution Control Regulations as follows: failure to submit an application for renewal of its South Carolina Acid Rain Permit no later than 6 months prior to the date of expiration. The Permit became effective on January 1, 2000, and expired on December 31, 2004. The application for renewal was due no later than June 30, 2004.

Action: The Respondent submitted an application for renewal of its South Carolina Acid Rain Permit on October 13, 2004, and has agreed to comply with all terms and conditions of South Carolina Acid Rain Permit 0600-0060, effective January 1, 2000, until such time as the Department takes final action on the application for renewal.